



CITY OF ST. LOUIS
**PLANNING & URBAN
DESIGN AGENCY**
FRANCIS G. SLAY, Mayor

File No. PDA-057-16-RDM

Note: Replacement resolution was handed out at June 1, 2016 P.C. Meeting.
All text changes are underlined.

To: City of St. Louis Planning Commission

From: Don Roe, Director

Subject: Chapter 99 Blighting Study and Redevelopment Plan
(400-421 S. 9th St./815R-909 Poplar St. Redevelopment Area)
LCRA Plan #2103

Date: June 1, 2016

Summary

Submittal: Chapter 99 Blighting Study and Redevelopment Plan for Planning Commission review and recommendation.

Site: Approximately 2.92-acre area -- consisting of 4 parcels -- generally bounded by Spruce St., 8th St., Interstate 64 and 10th St. in the Downtown neighborhood.

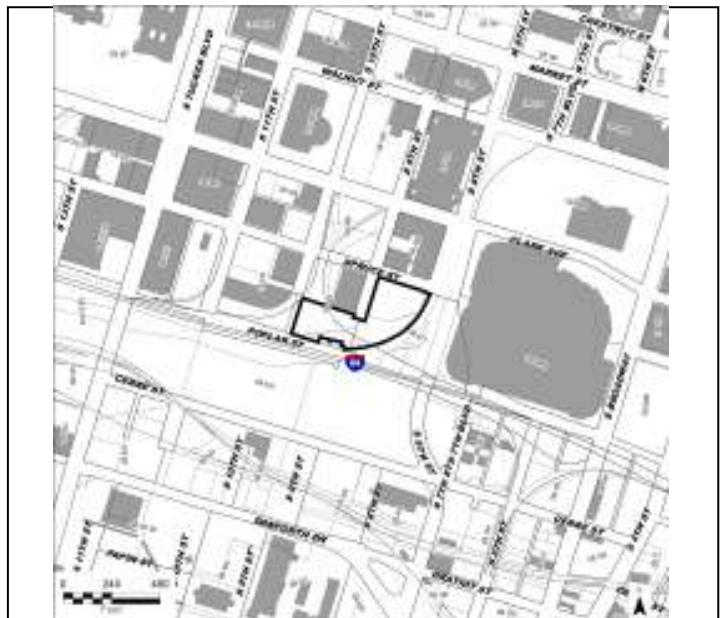
Existing Use: 3 surface parking lots and 1 vacant lot.

Proposal: Development of Cupples X, a new \$42 million, 120,000-square foot, mixed-use building, consisting of office space, retail space and an interior event space, as well as an exterior event space and 94 parking spaces.

Prospective Developer: Cupples X Developer, Inc. (The Koman Group).

Eminent Domain: Redevelopment Plan provides for the use of eminent domain. Redevelopment Plan states that LCRA may acquire air rights or other easements in the Redevelopment Area by the exercise of eminent domain.

Support Letters: Supported by Alderman John Coatar (7th Ward).



Recommended Action

That the Planning Commission finds the Chapter 99 Blighting Study and Redevelopment Plan for the 400-421 S. 9th St./815R-909 Poplar St. Redevelopment Area to be recommended declared as blighted and the proposed Redevelopment Plan to be in conformity with the City's Strategic Land Use Plan and **recommends approval** to the City's Board of Aldermen.

1.0 Background

- The 400-421 S. 9th St./815R-909 Poplar St. Redevelopment Area is generally bounded by Spruce St., 8th St., Interstate 64 and 10th St. in the Downtown neighborhood. The approximately 2.92-acre site includes four parcels. A small portion of the site (the 421 S. 9th St. parcel) is located within the boundaries of the Cupples Station Historic District, which is listed on the National Register of Historic Places. The attached LCRA Fact Sheet summarizes this proposed Chapter 99 Blighting Study and Redevelopment Plan. (See Exhibit “A”.)
- The existing uses include three surface parking lots and one vacant lot. Two of the three parking lots serve the guests and visitors of The Westin St. Louis, 811 Spruce St., an adjacent hotel. The third parking lot serves the occupants and visitors of Cupples 9, 900 Spruce St., an adjacent mixed-use building. The vacant lot may be used at times by Bi-State Development Agency for the maintenance of its adjacent MetroLink route. Photos of the Redevelopment Area are included in Exhibit “D”.
- Based on PDA staff’s visual survey, the Redevelopment Area is in fair condition. The three parking lots and vacant lot appear to be in relatively good condition. However, the Redevelopment Area is an economically under-utilized site, as no buildings are present. The Redevelopment Area is in fair condition, according to the Redevelopment Plan. (A copy of the complete Redevelopment Plan, which was prepared by St. Louis Development Corporation (SLDC) staff, is attached as Exhibit “B”.) The Redevelopment Plan’s Blighting Report includes the following comment for each of the four parcels in the Redevelopment Area:
 - “The property consists of vacant lots which are significantly deteriorated. They drag down the value of surrounding properties and would take significant investment to construct new buildings brought up to code. The presence of an unimproved parcel at such a critical location (in extremely close proximity to Busch Stadium, a key asset) can detract from investment. The subject property represents a lost opportunity to generate taxes.”
- The Redevelopment Area’s adjacent properties primarily include a variety of land uses and transportation-related uses. The land uses include The Westin St. Louis, 811 Spruce St., an upscale hotel; Busch Stadium, 700 Clark Ave.; Cupples 9, 900 Spruce St., a mixed-use building; other Cupples Station buildings, which have been renovated and converted to new uses from their original warehouse use; and surface parking lots. The transportation-related uses include the MetroLink tracks for Metro’s Red and Blue Lines; MetroLink’s Stadium Station, 400 S. 8th St.; Interstate 64, which is elevated at this point; and an exit ramp from westbound Interstate 64. Photos of adjacent properties are included in Exhibit “D”.
- The Redevelopment Plan proposes the development of Cupples X, a new \$42 million, four-story, 120,000-square foot, mixed-use building. The four-story building would include office space, a limited amount of retail space and an interior event space, as well as an exterior event space and 94 parking spaces (most of which would be surface parking spaces). The development project is targeting technology firms as office space tenants by providing an attractive workplace environment suitable to their needs and desires. The building is proposed to be built along Spruce St., between 9th St. and 8th St., although some details need to be finalized. Architectural renderings of the proposed building are attached as Exhibit “C”.
- The prospective developer is Cupples X Developer, Inc., which is affiliated with The Koman Group, a real estate developer. The firm’s headquarters is in the adjacent Cupples 9, 900 Spruce St., a mixed-use building that it converted from a warehouse building a few years ago and that it currently owns and manages.
- The Redevelopment Plan’s Sustainability Impact Statement reports that this development project will meet 32 objectives of the Sustainability Plan.

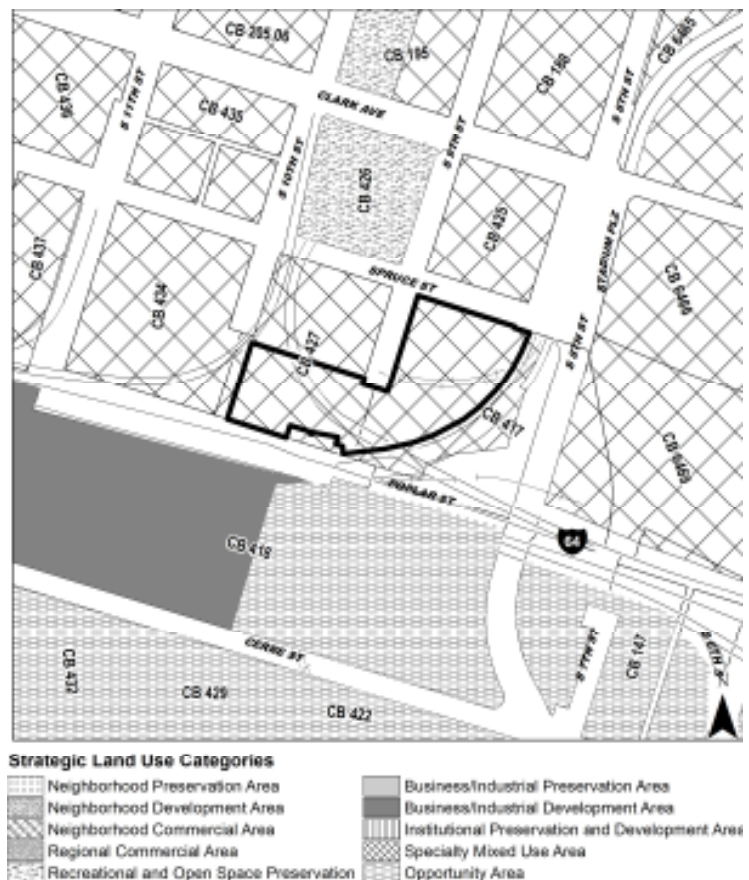
- The Redevelopment Plan provides for the use of eminent domain. The Redevelopment Plan states: “The LCRA may acquire air rights or other easements in the Area by the exercise of eminent domain.” As explained by a representative of the prospective developer: “...we have requested eminent domain of non-fee simple “air-rights” interests. There are some ancient air-rights that traverse the project from the old train line days...we are trying to identify a signatory to quit claim those rights as they have no value without ownership of the adjacent parcels, but may have to use eminent domain to clean up title if no party with authority can be identified.” It does provide for the use of up to 25 years of tax abatement.
- The Redevelopment Plan is supported by Alderman John Coatar (7th Ward), who introduced Board Bill #27 (the proposed Chapter 99 Blighting Study and Redevelopment Plan for the 400-421 S. 9th St./815R-909 Poplar St. Redevelopment Area) at the Board of Aldermen on April 29, 2016. No aldermanic support letter is available.

2.0 Comments

The City’s Strategic Land Use Plan designates the entire Redevelopment Area -- as well as much of the adjacent area -- as a Specialty Mixed Use Area (SMUA).

The SMUA Strategic Land Use Category is defined as: “*Areas like Downtown St. Louis where it is intended that a unique mix of uses be preserved and developed.*”

The proposed \$42 million mixed-use development project -- a 120,000-square foot building, consisting of office space, retail space and an interior event space, as well as an exterior event space and 94 parking spaces -- matches the intent of the SMUA Special Use Category, which states that “a unique mix of uses be preserved and developed”. The construction of a mixed-use building, with a variety of amenities for its occupants, located near the MetroLink’s Stadium Station meets the criteria for a SMUA Strategic Land Use Category. Thus, the proposed Redevelopment Plan is in conformity with the Specialty Mixed Use Area.



2.2 Previous Commission Action

None.

2.3 Requested Action

City of St. Louis Ordinance #64687, Section 8, Sub-Paragraphs 6 and 8 require that all Chapter 99, 100 and 353 Blighting Studies and Redevelopment Plans be submitted to the Planning Commission for its recommendation as to conformity with the City's Comprehensive Plan and any applicable Neighborhood Plan.

Requested Recommendation

That the Planning Commission finds the Chapter 99 Blighting Study and Redevelopment Plan for the 400-421 S. 9th St./815R-909 Poplar St. Redevelopment Area to be recommended declared as blighted and the proposed Redevelopment Plan to be in conformity with the City's Strategic Land Use Plan and **recommends approval** to the City's Board of Aldermen.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ST. LOUIS PLANNING COMMISSION AS FOLLOWS:

1. The Chapter 99 Blighting Study and Redevelopment Plan for the 400-421 S. 9th St./815R-909 Poplar St. Redevelopment Area is hereby found to be recommended declared as blighted and the proposed Redevelopment Plan is in conformity with the City's Strategic Land Use Plan and is recommended for approval to the City's Board of Aldermen.
2. The Director of the Planning and Urban Design Agency is hereby directed to notify the Board of Aldermen of its recommendation.

EXHIBIT A

FACT SHEET

Property Address: 400-421 S. 9th St/ 815R-909 Poplar St.

Alderman: John Coatar

Ward: 7th

Neighborhood: Downtown

Prospective Developer: Cupples X Developer Inc. (The Koman Group)

Property Is: ☐ occupied ☒ unoccupied

Eminent Domain: ☐ was requested ☒ was not requested

Current Assessed Value of Property: \$1,033,900

Other Comments: The area consists of existing parking lots, vacant lots and the remains of a warehouse building. The redeveloper will purchase the property for \$2.868 million. The redeveloper plans to construct a new commercial office building on the property at an approximate cost of \$42 million. There will be 120,000 s.f. of gross new building area, 94 parking spaces and interior and exterior event spaces. The redeveloper estimates that approximately 348 new full-time office jobs (90k) and 6 new full-time retail (20k) jobs would be created through the development. Alderman Coatar wishes to support this project with up to 25-year tax abatement based on comparable incentives given to projects in this immediate vicinity and the staff concurs.

EXHIBIT B

ATTACHMENT "B"

BLIGHTING STUDY AND REDEVELOPMENT PLAN

FOR THE

**400-421 S. 9TH ST./ 815R-909 POPLAR ST.
REDEVELOPMENT AREA**

PROJECT# 2103

APRIL 26, 2016

**LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS**

MAYOR

FRANCIS G. SLAY

**BLIGHTING STUDY AND REDEVELOPMENT PLAN FOR
400-421 S. 9TH ST./ 815R-909 POPLAR ST. REDEVELOPMENT AREA**

	<u>PAGE</u>
A. EXISTING CONDITIONS AND FINDING OF BLIGHT.....	1
1. DELINEATION OF BOUNDARIES.....	1
2. GENERAL CONDITION OF THE AREA.....	1
3. PRESENT LAND USE OF THE AREA.....	1
4. PRESENT LAND USE AND DENSITY OF SURROUNDING PROPERTIES.....	1
5. CURRENT ZONING.....	2
6. FINDING OF BLIGHT.....	2
B. PROPOSED DEVELOPMENT AND REGULATIONS.....	2
1. DEVELOPMENT OBJECTIVES.....	2
2. PROPOSED LAND USE OF THE AREA.....	2
3. PROPOSED ZONING.....	2
4. RELATIONSHIP TO LOCAL OBJECTIVES.....	3
5. PROPOSED EMPLOYMENT FOR THIS AREA.....	3
6. CIRCULATION.....	3
7. BUILDING AND SITE REGULATIONS.....	3
8. URBAN DESIGN.....	4
9. PARKING REGULATIONS.....	5
10. SIGN REGULATIONS.....	5
11. BUILDING, CONDITIONAL USE AND SIGN PERMITS....	5
12. PUBLIC IMPROVEMENTS.....	5
C. PROPOSED SCHEDULE OF DEVELOPMENT.....	6
D. EXECUTION OF PROJECT.....	6
1. ADMINISTRATION AND FINANCING.....	6
2. PROPERTY ACQUISITION.....	6
3. PROPERTY DISPOSITION.....	6
4. RELOCATION ASSISTANCE.....	7
E. COOPERATION OF THE CITY.....	7
F. TAX ABATEMENT.....	7
G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS.....	8
1. LAND USE.....	8
2. CONSTRUCTION AND OPERATIONS.....	8
3. LAWS AND REGULATIONS.....	8
4. ENFORCEMENT.....	9
H. MODIFICATIONS OF THIS PLAN.....	9
I. DURATION OF REGULATION AND CONTROLS.....	9
J. EXHIBITS.....	9
K. SEVERABILITY.....	9

EXHIBITS

"A"	LEGAL DESCRIPTION
"B"	PROJECT AREA PLAN - EXISTING USES AND CONDITIONS
"C"	PROJECT AREA PLAN - PROPOSED LAND USES
"D"	PROJECT AREA PLAN - ACQUISITION MAP
"E"	EQUAL OPPORTUNITY AND NON-DISCRIMINATION GUIDELINES
"F"	BLIGHTING REPORT
"G"	SUSTAINABILITY REPORT

A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The 400-421 S. 9th St./ 815R-909 Poplar St. Redevelopment Area ("Area") encompasses approximately 2.92 acres in the Downtown neighborhood of the City of St. Louis ("City") and is located on the east side of S. 9th St. between Spruce St. and I-64 (Poplar St.) on the west side of S. 8th St.

The legal description of the Area is attached and labeled Exhibit "A". The boundaries of the Area are delineated on Exhibits "B", "C" and "D" ("Project Area Plan").

2. GENERAL CONDITION OF THE AREA

The Area comprises a portion of City Blocks 0417.00 and 0427.00. The Area is in fair condition. The parcel by parcel physical conditions within the Area are shown on Exhibit "B" ("Project Area Plan-Existing Uses and Conditions") and enumerated in Exhibit "F" "Blighting Report".

The Area is in the Market Type B category of the January 2014 St. Louis Market Value Analysis (the MVA). This category has higher than average recorded home sales.

Unemployment figures, computed by the Missouri Economic Research and Information Center, Missouri Department of Economic Development, indicate a 5.5% unemployment rate for the City for the month of March, 2016. It is estimated that this rate is applicable to residents of the neighborhoods surrounding the Area.

There are currently five-ten jobs within the Area.

3. PRESENT LAND USE OF THE AREA

Existing land uses within the Area include existing parking lots and vacant lots.

The land uses within the Area, including the location of public and private uses, streets and other rights-of-way, is shown on Exhibit "B".

4. PRESENT LAND USE AND DENSITY OF SURROUNDING PROPERTIES

The properties surrounding the Area are used primarily for commercial purposes.

Residential density for the surrounding neighborhoods is approximately 5.63 persons per acre.

5. CURRENT ZONING

The Area is currently zoned "I" Central Business District pursuant to the Zoning Code of the City, which is incorporated in this Blighting Study and Redevelopment Plan ("Plan") by reference.

6. FINDING OF BLIGHT

The property within the Area is unoccupied and the Area is in the conditions described in Exhibit "F". The existence of deteriorated property constitutes an economic or social liability to the City and presents a hazard to the health and well-being of its citizens. The preponderance of properties in the Area has been determined to be blighted within the meaning of Section 99.300-99.715 *et seq.* RSMo, as amended (the "Land Clearance for Redevelopment Authority Law") as evidenced by the Blighting Report attached hereto, labeled Exhibit "F" and incorporated herein by this reference.

B. PROPOSED DEVELOPMENT AND REGULATIONS

1. DEVELOPMENT OBJECTIVES

The primary objectives of this Plan are to eliminate blight within the Area and to facilitate the redevelopment of the Area into productive commercial uses while protecting adjacent commercial uses.

The City Planning Commission adopted a Sustainability Plan on January 9, 2013. This Redevelopment Plan contributes to the sustainability of the City as outlined in the Sustainability Report (Exhibit G).

2. PROPOSED LAND USE OF THE AREA

The proposed land use for the Area is mixed-use permitted in zones designated "I" Central Business District by the City of St. Louis Zoning Code. Redeveloper(s) authorized by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to redevelop property in the Area (hereafter referred to as "Redeveloper(s)") shall be permitted to use the property within the Area for only the above proposed uses.

Exhibit "C" (Proposed Land Use) shows the proposed uses for the Area. The General Plan of the City which includes the "Strategic Land Use Plan" (as amended 2016) designates it as a Specialty Mixed Use Area (SMUA).

3. PROPOSED ZONING

The proposed zoning for the Area is "I" Central Business District. All land coverage and building intensities shall be governed thereby.

4. RELATIONSHIP TO LOCAL OBJECTIVES

The proposed land uses, zoning, public facilities and utility plans are appropriate and consistent with local objectives as defined by the General Plan of the City which includes the "Strategic Land Use Plan" (as amended 2016). Any specific proposal to the LCRA for redevelopment of the Area or any portion of the Area shall contain, among other things, adequate provisions for traffic, vehicular parking, safety from fire, adequate provisions for light and air, sound design and arrangement, and improved employment opportunities.

5. PROPOSED EMPLOYMENT FOR THE AREA

There are 354 new full-time jobs expected to be created in this Area because of the proposed redevelopment.

6. CIRCULATION

The Project Area Plan-Proposed Land Uses Plan (Exhibit "C") indicates the proposed circulation system for the Area. The layouts, levels and grades of all public rights-of-way may remain unchanged.

Rights-of-way changes will be subject to the review and approval of the City Department of Streets, and all vacations of rights-of-way are subject to approval by City ordinance.

7. BUILDING AND SITE REGULATIONS

The Area shall be subject to all applicable federal, state and local laws, ordinances, regulations and codes, including but not limited to, the City Building Code, Zoning District Regulations, and stipulations of the Planning and Urban Design Agency ("PDA"). The population densities, land coverage, and building intensities of redevelopment shall be governed by the Zoning Code. No changes in the building codes or ordinances are required.

The Redeveloper(s) shall redevelop the Area in accordance with this Plan and the Redevelopment Agreement (if any) ("Agreement"), and shall maintain all structures, equipment, paved areas, and landscaped areas controlled by the Redeveloper(s) in good and safe order both inside and outside, structurally and otherwise, including necessary and proper painting. Failure to meet these requirements may result in suspension of tax abatement.

8. URBAN DESIGN

a. **Urban Design Objectives**

The property in the Area shall be redeveloped such that it is an attractive commercial asset to the surrounding neighborhood.

b. Urban Design Regulations

- 1.) **New construction** or alterations shall be positioned on the lot so that any existing recurrent building masses and spaces along the street are continued as well as the pattern of setback from the street.
- 2.) **New Exterior Materials** on facades of structures in the Area visible from the street(s) shall be compatible in type and texture with the dominant materials of adjacent buildings. Artificial masonry such as "Permastone" is not permitted. A submission of all building materials shall be required prior to building permit approval.
- 3.) **Roof Shapes** that are employed in a predominance of existing buildings in a block shall set the standard of compatibility for any proposed new construction or alteration.
- 4.) **Roof Materials** shall be slate, tile, copper or asphalt shingles where the roof is visible from the street. Brightly colored asphalt shingles are not appropriate.

c. Landscaping and Sidewalk Maintenance

The Area shall be well-landscaped. Perimeter street trees of a minimum caliper of 2-1/2 inches and generally 30-35 feet on center, depending upon tree type, utilities, curb cuts, etc., shall be provided along all public or private streets - preferably in tree lawns along the curb. If necessary, sidewalks shall be notched to accommodate the trees.

Existing, healthy trees shall be retained, if feasible. Sidewalks shall be repaired/replaced to insure safe walkability in the city and shall be improved to meet the Downtown Standards.

9. PARKING REGULATIONS

Parking shall be provided in accordance with the applicable zoning and building code requirements of the City, including PDA standards. This will provide adequate vehicular parking for the Area.

10. SIGN REGULATIONS

All new signs shall be limited as set out in the City Code, PDA stipulations, this Plan and agreements between the LCRA and the Redeveloper(s). A uniform signage plan must be

prepared by the Redeveloper(s) for the entire Area. All new signs shall be restricted to those identifying the names and/or business of the person or firm occupying the premises.

11. BUILDING, CONDITIONAL USE AND SIGN PERMITS

No building, conditional use, or sign permits shall be issued by the City without the prior written recommendation of the LCRA.

12. PUBLIC IMPROVEMENTS

No additional schools, parks, recreational and community facilities or other public facilities will be required. Additional water, sewage or other public utilities may be required depending on redevelopment. The cost of such utility improvements will be borne by the Redeveloper.

If funds are available to the LCRA, it may provide public improvements including, but not limited to, measures for the control of traffic, improvements to street lighting, street trees, and any other improvements which may further the objectives of this Plan.

C. PROPOSED SCHEDULE OF DEVELOPMENT

It is estimated that the implementation of this Plan will take place in a single phase initiated within approximately one (1) year of approval of this Plan by City ordinance and completed within approximately three (3) years of approval of this Plan by City ordinance.

The LCRA may alter the above schedule as economic conditions warrant.

D. EXECUTION OF PROJECT

1. ADMINISTRATION AND FINANCING

The LCRA is empowered by Missouri law to administer redevelopment of all types pursuant to this Plan and can do so to the extent and in the manner prescribed by the Land Clearance for Redevelopment Authority Law.

All costs associated with the redevelopment of the Area will be borne by the Redeveloper(s).

Implementation of this Plan may be financed by funds obtained from private and/or public sources, including, without limitation, revenue bonds, bank loans, and equity funds provided by the Redeveloper(s).

2. PROPERTY ACQUISITION

The Project Area Plan-Acquisition Map, Exhibit "D" attached, identifies all the property located in the Area. The LCRA may acquire air rights or other easements in the Area by the exercise of eminent domain.

3. PROPERTY DISPOSITION

If the LCRA acquires property in the Area, it may sell or lease the property to Redeveloper(s) who shall agree to redevelop such property in accordance with this Plan and the Agreement between such Redeveloper(s) and the LCRA. Any property acquired by the LCRA and sold to Redeveloper(s) will be sold at not less than its fair value, taking into account and giving consideration to those factors enumerated in Section 99.450, RSMo. as amended, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

The property within the Area is currently unoccupied. If it should become occupied all eligible occupants displaced as a result of the implementation of this Plan shall be given relocation assistance in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

E. COOPERATION OF THE CITY

The City and its Board of Aldermen, by enacting an ordinance approving this Plan, pledges the cooperation of the City to enable the project to be carried out in a timely manner and in accordance with this Plan.

F. TAX ABATEMENT

Redeveloper(s) may seek ten (10) year real estate tax abatement pursuant to Sections 99.700 - 99.715, RSMo. as amended, upon application as provided therein. Such real estate tax abatement shall not include taxes collected for any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other similar local taxing district created in accordance with Missouri law, whether now existing or later created.

In lieu of the ten (10) year abatement outlined above, any Redeveloper(s) which is an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad valorem tax abatement which shall not include taxes collected for any Special Business District, Neighborhood Improvement District, Commercial Improvement District, or any other single local taxing district created in accordance with Missouri law, whether now existing or later created, for a total period of up to twenty-five (25) years from the commencement of such tax abatement, in accordance with the following provisions of this Plan:

If property in the Area is sold by the LCRA to an urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes, or if any such corporation shall own property within the Area, then for a period of up to the first ten (10) years after the date the redevelopment corporation shall acquire title to such property, taxes on such property shall

be based upon the assessment of land, exclusive of any improvements thereon, during the calendar year prior to the calendar year during which such urban redevelopment corporation shall have acquired title to such property. In addition to such taxes, any such corporation shall for up to the initial ten (10) year period make a payment in lieu of taxes to the Collector of Revenue of the City of St. Louis in an amount based upon the assessment on the improvements located on the property during the calendar year prior to the calendar year during which such urban redevelopment corporation shall have acquired title to such property.

For the ensuing fifteen (15) year period following the original period stated above, any such urban redevelopment corporation shall pay taxes, or payments in lieu of taxes, in an amount based upon the assessment on the improvements located on the property during the calendar year prior to the calendar year during which such corporation shall have acquired title to that property, such assessment in no event to exceed fifty (50%) percent of the true value of the property, including any improvements thereon.

All payments in lieu of taxes shall be a lien upon the real property and, when paid to the Collector of Revenue of the City shall be distributed as all other property taxes. These partial tax relief and payment in lieu of taxes provisions, during up to said twenty-five (25) year period, shall inure to the benefit of all successors in interest in the property of the urban redevelopment corporation, so long as such successors shall continue to use such property as provided in this Plan and in any Agreement with the LCRA. In no event shall such benefits extend beyond twenty-five (25) years after any urban redevelopment corporation shall have acquired title to the property.

G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS

1. LAND USE

A Redeveloper(s) shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the lease, sale, rental or occupancy of any property, or any improvements erected or to be erected in the Area, or any part thereof.

2. CONSTRUCTION AND OPERATIONS

A Redeveloper (s) shall not discriminate on the basis of race, color, creed, national origin, marital status, sex, age, sexual orientation or physical handicap in the construction and operation of any project in the Area and shall take such affirmative action as may be appropriate to afford opportunities to everyone in all activities of the project, including enforcement, contracting, operating and purchasing.

3. LAWS AND REGULATIONS

A Redeveloper (s) shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination and affirmative action, including the City Guidelines for Minimum Utilization of Minority Enterprises, dated January 1, 1981 as may be amended, and the "Equal Opportunity and Nondiscrimination Guidelines" in Exhibit "E", attached.

4. ENFORCEMENT

All of the provisions of this Section G shall be incorporated in an Agreement between the LCRA and a Redeveloper (s), which agreement shall be recorded in the office of the Recorder of Deeds. The provisions of G (1) and G (3) shall be covenants running with the land, without limitation as to time, and the provisions of G (2) shall be for the duration of this Plan and any extension thereof.

All of the provisions of Section G shall be enforceable against the Redeveloper (s), its heirs, successors or assigns, by the LCRA, the City, any state having jurisdiction or the United States of America.

H. MODIFICATIONS OF THIS PLAN

Any proposed modification which will substantially change this Plan shall be approved by the St. Louis Board of Aldermen in the same manner as this Plan was first approved. Modifications which will substantially change this Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the length of tax abatement, to the boundaries of the Area, to the urban design objectives, to the urban design regulations, or other items which alter the nature or intent of this Plan.

This Plan may be otherwise modified (e.g. development schedule) by the LCRA.

I. DURATION OF REGULATION AND CONTROLS

The regulation and controls set forth in this Plan shall be in full force and effect for twenty-five years commencing with the effective date of approval of this Plan by City ordinance, and for additional ten (10) year periods unless before the commencement of any such ten (10) year period the St. Louis Board of Aldermen shall terminate this Plan at the end of the term then in effect, except as provided in Section G (4) of this Plan.

J. EXHIBITS

All attached exhibits are hereby incorporated by reference into this Plan and made a part hereof.

K. SEVERABILITY

The elements of this Plan satisfy all requirements of state and local laws. Should any provisions of this Plan be held invalid by a final determination of a court of law, the

remainder of the provisions hereof shall not be affected thereby, and shall remain in full force and effect.

EXHIBIT "A"

400-421 S. 9TH ST./ 815R-909 POPLAR ST. AREA
LEGAL DESCRIPTION

PARCEL #1
400 S 9TH ST
C.B. 0417 9TH ST
0.948 ACS
CHOUTEAU ADDN
BND N X SPRUCE & W X 9TH ST

PARCEL # 0417-00-0045

PARCEL #2
421 S 9TH ST
C.B. 0427 10TH ST
185 FT/ IRREG X 300 FT/ IRREG
COUTEAU ETAL ADDN
SOUTHWEST PT OF BLK PT VAC ST

PARCEL # 0427-00-0010

PARCEL #3
909 POPLAR ST
C.B. 0427 POPLAR ST
0.280 ACS
CUPPLES 9 BNDRY ADJ PLAT
LOT 1B

PARCEL # 0427-00-0046

PARCEL #4
815R POPLAR ST
C.B. 0417 POPLAR STREET
0.779 ACS
CUPPLES NINE SUBD
NEW LOT 1A

PARCEL # 0417-00-0046

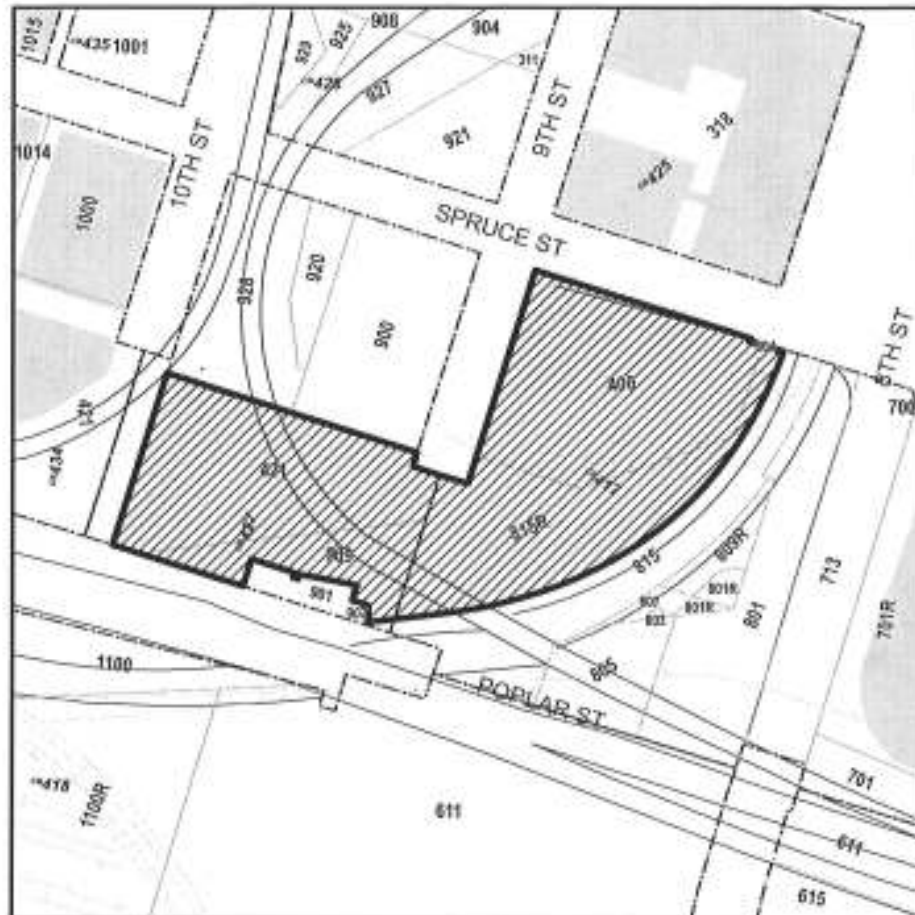




Exhibit B
Project Area Plan
 400-421 S. 9TH ST. - 815R-909 POPLAR ST. AREA

Existing Uses Map

-  Existing Vacant / Surface Parking Uses (SLUP = SMUA)
-  Project Area Boundary
-  Buildings
-  City Block Number

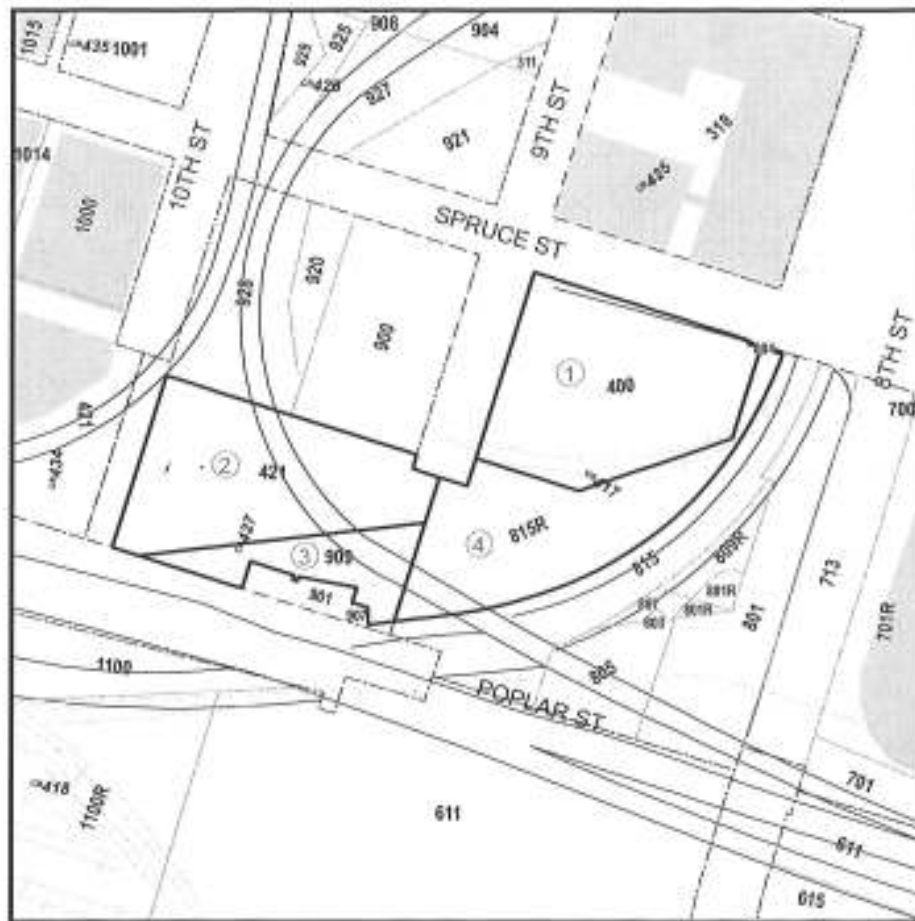





Exhibit D **Project Area Plan**

400-421 S. 9TH ST.- 815R-909 POPLAR ST. AREA



Property Acquisition Map

-  Parcel Number
-  Project Area Boundary
-  Buildings
-  City Block Number
-  Open Space

- 1 - 400 S 9TH ST
- 2 - 421 S 9TH ST
- 3 - 909 POPLAR ST
- 4 - 815R POPLAR ST

EQUAL OPPORTUNITY AND NONDISCRIMINATION GUIDELINES

In any contract for work in connection with the redevelopment of any property in the Area, the Redeveloper(s) (which term shall include Redeveloper(s), any designees, successors and assigns thereof, any entity formed to implement the project of which the Redeveloper(s) is affiliated), its contractors and subcontractors shall comply with all federal, state and local laws, ordinances, or regulations governing equal opportunity and nondiscrimination (Laws). Moreover, the Redeveloper shall contractually require its contractors and subcontractors to comply with such laws.

The Redeveloper(s) and its contractors will not contract or subcontract with any party known to have been found in violation of any such Laws, ordinances, regulations or these guidelines.

The Redeveloper(s) shall fully comply with Executive Order #28 dated July 24, 1997, as has been extended, relating to minority and women-owned business participation in City contracts.

The Redeveloper(s) agrees for itself and its successors and assigns, that there shall be covenants to ensure that there shall be no discrimination on the part of the Redeveloper(s), its successors or assigns upon the basis of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical handicap in the sale, lease, rental, use or occupancy of any property, or any improvements erected or to be erected in the Area or any part thereof, and those covenants shall run with the land and shall be enforceable by the LCRA, the City, and the United States of America, as their interests may appear in the project.

Redeveloper(s) shall fully comply (and ensure compliance by "anchor tenants") with the provisions of St. Louis City Ordinance #60275 (First Source Jobs Policy) which is codified at Chapter 3.90 of the Revised Ordinances of the City of St. Louis.

**Blighting Report for the
400-421 S. 9th St./ 815R-909 Poplar St. Redevelopment Area**

As outlined below, the Area suffers from a multitude of physical and economic deficiencies including defective and inadequate streets, unsanitary or unsafe conditions, deterioration or inadequate site improvements, improper subdivision or absolute platting and conditions which endanger life or property by fire or other causes.

As a result of these factors the preponderance of the property in the Area is an economic liability for the City, its residents and the taxing districts that depend upon it as a revenue source, as well as a sound, health safety liability. It, therefore, qualifies as a "blighted area" as such time is defined in Section 99.320(3) of the Missouri Revised Statute (2000) as amended.

PARCEL #1
400 S 9TH ST
C.B. 0417 9TH ST
0.948 ACS
CHOUTEAU ADDN
BND N X SPRUCE & W X 9TH ST

PARCEL # 0417-00-0045

Parcel #1 qualifies as a "blighted area" as such time is defined in Section 99.320(3) of the Missouri Revised Statute (2000) as amended.

Subject Property is: ☒ vacant land ☐ unoccupied residential
☐ unoccupied/occupied commercial/industrial

Subject Property is: ☒ secured ☐ unsecured

The subject property ☐ has ☒ has not a predominance of defective or inadequate streets
 If answer is yes, explain: _____

The subject property ☒ has ☐ has not unsanitary or unsafe conditions
 If answer is yes, explain: The property consists of vacant lots. As such, they are subject to illegal dumping and use by transients.

The subject property ☒ has ☐ has not deterioration of site conditions
 If answer is yes, explain: Dilapidated surfaces and overgrowth

The subject property ☐ has ☒ has not improper subdivision or absolute platting
 If answer is yes, explain: _____

The subject property ☒ has ☐ has not conditions which endanger life or property by fire or other cause.
 If answer is yes, explain: The property consists of vacant lots, consequently they are subject to illegal dumping and use by transients

The subject property ☐ does ☒ does not retard the provision of housing accommodations
 If answer is yes, explain: _____

The subject property ☒ does ☐ does not constitute an economic liability

The subject property X has _____ has not deterioration of site conditions

If answer is yes, explain: Dilapidated surfaces and overgrowth

The subject property _____ has X has not improper subdivision or absolute platting

If answer is yes, explain: _____

The subject property X has _____ has not conditions which endanger life or property by fire or other cause.

If answer is yes, explain: The property consists of vacant lots, consequently they are subject to illegal dumping and use by transients

The subject property _____ does X does not retard the provision of housing accommodations

If answer is yes, explain: _____

The subject property X does _____ does not constitute an economic liability

If answer is yes, explain: The property consists of vacant lots which are significantly deteriorated. They drag down the value of surrounding properties and would take significant investment to construct new buildings brought up to code. The presence of an unimproved parcel at such a critical location (in extremely close proximity to Busch Stadium, a key asset) can detract from investment. The subject property represents a lost opportunity to generate taxes.

The subject property _____ does X does not constitute a social liability

If answer is yes, explain: _____

The subject property X is _____ is not a menace to the public health, safety, morals or welfare in its present condition and use. If answer is yes, explain: The property consists of vacant lots subject to illegal dumping, overgrowth.

The subject property X is _____ is not detrimental because of dilapidation, deterioration, age or obsolescence. If answer is yes, explain: The vacant lots are significantly deteriorated, with the deteriorated site conditions listed above.

The subject property _____ is X is not detrimental because of lack of air sanitation or open space. If answer is yes, explain: _____

The subject property _____ is X is not detrimental because of high density of population.

If answer is yes, explain: _____

The subject property _____ is X is not detrimental because of overcrowding of buildings, overcrowding of land. If answer is yes, explain: _____

The subject property X has _____ has not a combination of factors that are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and _____. If answer is yes, explain: The vacant lots are subject to illegal dumping and use by transients.

**PARCEL #3
909 POPLAR ST
C.B. 0427 POPLAR ST
0.280 ACS
CUPPLES 9 BNDRY ADJ PLAT
LOT 1B**

PARCEL # 0427-00-0046

Parcel #3 qualifies as a "blighted area" as such time is defined in Section 99.320(3) of the Missouri Revised Statute (2000) as amended.

Subject Property is: ☒ vacant land ☐ unoccupied residential
☐ unoccupied/occupied commercial/industrial

Subject Property is: ☒ secured ☐ unsecured

The subject property ☐ has ☒ has not a predominance of defective or inadequate streets.
If answer is yes, explain: _____

The subject property ☒ has ☐ has not unsanitary or unsafe conditions.
If answer is yes, explain: The property consists of vacant lots. As such, they are subject to illegal dumping and use by transients.

The subject property ☒ has ☐ has not deterioration of site conditions.
If answer is yes, explain: Dilapidated surfaces and overgrowth

The subject property ☐ has ☒ has not improper subdivision or absolute platting.
If answer is yes, explain: _____

The subject property ☒ has ☐ has not conditions which endanger life or property by fire or other cause.
If answer is yes, explain: The property consists of vacant lots, consequently they are subject to illegal dumping and use by transients

The subject property ☐ does ☒ does not retard the provision of housing accommodations.
If answer is yes, explain: _____

The subject property ☒ does ☐ does not constitute an economic liability.
If answer is yes, explain: The property consists of vacant lots which are significantly deteriorated. They drag down the value of surrounding properties and would take significant investment to construct new buildings brought up to code. The presence of an unimproved parcel at such a critical location (in extremely close proximity to Busch Stadium, a key asset) can detract from investment. The subject property represents a lost opportunity to generate taxes.

The subject property ☐ does ☒ does not constitute a social liability.
If answer is yes, explain: _____

The subject property ☒ is ☐ is not a menace to the public health, safety, morals or welfare in its present condition and use. If answer is yes, explain: The property consists of vacant lots subject to illegal dumping, overgrowth.

The subject property ☒ is ☐ is not detrimental because of dilapidation, deterioration, age or obsolescence. If answer is yes, explain: The vacant lots are significantly deteriorated, with the deteriorated site conditions listed above.

The subject property ☐ is ☒ is not detrimental because of lack of air sanitation or open space. If answer is yes, explain: _____

The subject property ☐ is ☒ is not detrimental because of high density of population.
If answer is yes, explain: _____

The subject property ☐ is ☒ is not detrimental because of overcrowding of buildings, overcrowding of land. If answer is yes, explain: _____

The subject property ☒ has ☐ has not a combination of factors that are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and . If answer is yes, explain: The vacant lots are subject to illegal dumping and use by transients.

PARCEL #4
815R POPLAR ST
C.B. 0417 POPLAR STREET
0.779 ACS
CUPPLES NINE SUBD
NEW LOT 1A

PARCEL # 0417-00-0046

Parcel #4 qualifies as a "blighted area" as such time is defined in Section 99.320(3) of the Missouri Revised Statute (2000) as amended.

Subject Property is: ☒ vacant land ☐ unoccupied residential
☐ unoccupied/occupied commercial/industrial

Subject Property is: ☒ secured ☐ unsecured

The subject property ☐ has ☒ has not a predominance of defective or inadequate streets
If answer is yes, explain: _____

The subject property ☒ has ☐ has not unsanitary or unsafe conditions
If answer is yes, explain: The property consists of vacant lots. As such, they are subject to illegal dumping, and use by transients.

The subject property ☒ has ☐ has not deterioration of site conditions
If answer is yes, explain: Dilapidated surfaces and overgrowth

The subject property ☐ has ☒ has not improper subdivision or absolute platting
If answer is yes, explain: _____

The subject property ☒ has ☐ has not conditions which endanger life or property by fire or other cause.
If answer is yes, explain: The property consists of vacant lots, consequently they are subject to illegal dumping and use by transients

The subject property ☐ does ☒ does not retard the provision of housing accommodations
If answer is yes, explain: _____

The subject property ☒ does ☐ does not constitute an economic liability
If answer is yes, explain: The property consists of vacant lots which are significantly deteriorated. They drag down the value of surrounding properties and would take significant investment to construct new buildings brought up to code. The presence of an unimproved parcel at such a critical location (in extremely close proximity to Busch Stadium, a key asset) can detract from investment. The subject property represents a lost opportunity to generate taxes.

The subject property ☐ does ☒ does not constitute a social liability
If answer is yes, explain: _____

The subject property ☒ is ☐ is not a menace to the public health, safety, morals or welfare in its present condition and use. If answer is yes, explain: The property consists of vacant lots subject to illegal dumping,

overgrowth and projects a negative impression of the City by having an unimproved and underutilized parcel adjacent directly across 8th Street from Busch Stadium, one of the City's key assets.

The subject property X is _____ is not detrimental because of dilapidation, deterioration, age or obsolescence. If answer is yes, explain: The vacant lots are significantly deteriorated, with the deteriorated site conditions listed above.

The subject property _____ is X is not detrimental because of lack of air sanitation or open space. If answer is yes, explain: _____

The subject property _____ is X is not detrimental because of high density of population. If answer is yes, explain: _____

The subject property _____ is X is not detrimental because of overcrowding of buildings, overcrowding of land. If answer is yes, explain: _____

The subject property X has _____ has not a combination of factors that are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and _____. If answer is yes, explain: The vacant lots are subject to illegal dumping and use by transients.

[Photographs on file with LCRA]

400-421 S. 9th St./ 815R-909 Poplar St. (2103)

EXHIBIT
"G"

SUSTAINABILITY IMPACT STATEMENT

The St. Louis Planning Commission adopted a Sustainability Plan on January 9, 2013. The following chart shows how the objectives of this Redevelopment Plan relates to selected Functional Categories and development related Objectives of the City's Sustainability Plan. The Mayor has issued a Sustainable Action Agenda (SAA). The following chart also shows items that may relate to development projects.

		Applicable	Not Applicable
I. URBAN CHARACTER, VITALITY AND ECOLOGY			
A1	Reinforce the City's Central Corridor as the dynamic "heart" of the region	X	
A3	Develop designated areas via incentives for "green" and technical industries	X	
A4	Increase riverfront development and provide safe public access and associated recreational activity	X	
A5	Provide development incentives to encourage transit-oriented development		X
B1	Prioritize infill development to develop thriving compact communities/vibrant mixed-use main streets	X	
SAA2	Make LRA land available at no cost for smart, productive, creative re-use of the land.		X
B2	Update local street design standards and implement the Complete Streets Ordinance		X
B3	Create Citywide, and multiple neighborhood-scale mobility plans		X
B4	Discourage development that reduces transit, bike and pedestrian activities	X	
C1	Design public spaces and neighborhood streets as gathering spaces for people	X	
C5	Maintain public spaces and neighborhood streets	X	
D7*	Expand the City's urban tree canopy		X
SAA4	Increase the Number of Trees Planted by 16,000 or 15%		X
E1	Celebrate and increase activity along the Mississippi River		X
E2	Remove/change infrastructure to improve riverfront access		X
F1	Preserve and reuse buildings as a means of achieving sustainability		X
F2	Continue to integrate preservation into the planning and building approval		X
F4	Protect historic properties vulnerable to foreclosure, tax forfeiture, or demolition		X
F5	Promote the redevelopment of historic homes and commercial properties		X
G1	Develop affordable homes in concert with long-range transit and development planning		X
G2	Encourage mixed-use affordable housing in high amenity neighborhoods		X
G4	Integrate low income housing into market-rate and mixed-use development		X
G6	Experiment with new ways to create partnerships to build sustainable and affordable housing		X
G8	Offer housing that is energy efficient and environmentally sustainable		X
H4	Continue to remove site contamination and promote brownfields redevelopment	X	
I4	Ensure urban agriculture is a profitable, viable enterprise		X

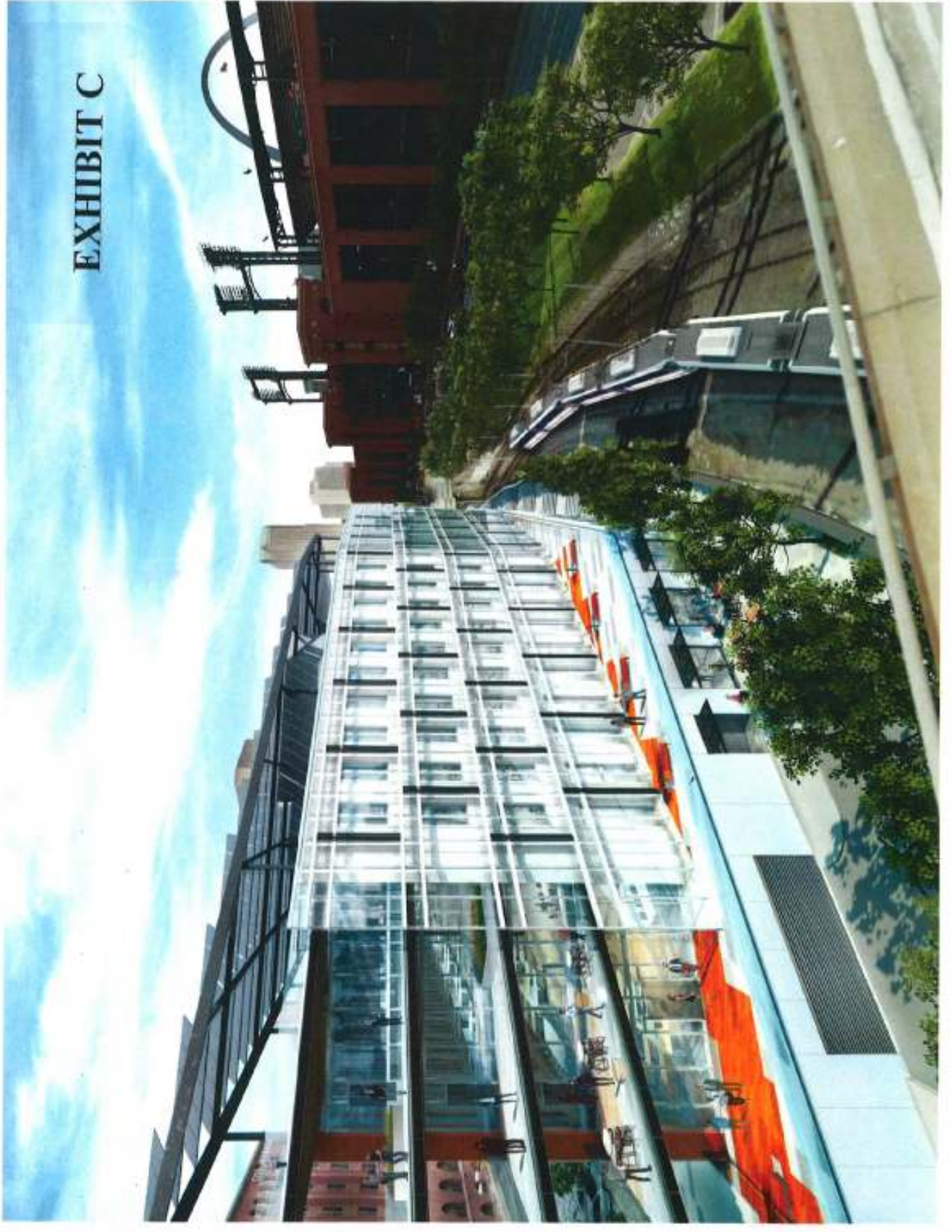
J4	Preserve neighborhood residential areas/commercial and mixed-uses on corners/major corridors		X
J5	Increase the effectiveness of major commercial corridors	X	
J6	Incorporate sustainability in economic development programs	X	
II. ARTS, CULTURE AND INNOVATION			
A4	Encourage the development of affordable artist housing, studios and ventures		X
A5	Diversify the City's range of arts, creative and innovative industries	X	
SAA6	Build Phase II of CORTEX bioscience and technology research district		X
C2	Facilitate development of arts, culture and innovative TODs	X	
C5	Target developing arts and cultural districts for streetscape and public space improvements	X	
E1	Use distinctive public art, architecture, landscape to build City and neighborhood identity	X	
F1	Revitalize existing and develop new arts and cultural facilities		X
III. EMPOWERMENT, DIVERSITY AND EQUITY			
E4	Expand the capacity to create additional affordable housing units		X
E5	Create pathways for qualified low-income families to become homeowners		X
SAA10	Implement Board Bill 297 pertaining to workforce inclusion		X
F1	Address blighting and environmental health hazards	X	
F6	Ensure the application of universal design and accessibility codes	X	
IV. HEALTH, WELL-BEING AND SAFETY			
A5	Plan and design buildings, spaces and environments for safety	X	
B5	Reduce exposure of lead-paint poisoning		X
C1	Eliminate food deserts and improve access to fresh produce		X
C3	Support urban agriculture opportunities in the City		X
SAA14	End chronic Homelessness		X
D4	Design buildings to encourage physical activity	X	
V. INFRASTRUCTURE, FACILITIES AND TRANSPORTATION			
A1	Advance the City as a transportation hub	X	
A2	Encourage transit oriented development	X	
SAA18	Increase bike racks by 150%	X	
E3	Use pilot projects to explore ways to achieve net zero storm water discharge	X	
G2	Strive for the highest levels of energy efficiency and maximize clean energy in buildings	X	
G3	Ensure building and site development integrated with natural site ecology	X	
G4	Advance the use of high-efficiency building related water systems and technologies	X	
G5	Encourage re-use of materials and divert waste from land-fills	X	
G6	Provide healthy interior environments in commercial buildings	X	

VI. PROSPERITY, OPPORTUNITY AND EMPLOYMENT			
SAA26	Require a sustainability impact statement for all new City development	X	
B1	Increase the inventory and availability of business and industrial real estate through environmental clean-up and land assembly	X	
B2	Encourage small scale redevelopment with economic incentives		X
B4	Leverage the Mississippi River as an inexpensive transportation, drinking water and recreational resource		X
C3	Focus on small and local businesses as a key part of the City economy		X
C4	Re-use existing buildings for inexpensive incubation of entrepreneurial ideas		X
D1	Pursue transit oriented development at MetroLink stations and major bus nodes to encourage more walking/fewer carbon emissions	X	
E3	Promote flexible development approaches by developers, land owners and business firms		X
E4	Direct new commercial and mixed-use development to designated corridors and districts that demonstrate market support	X	
SAA27	Create at least 8,500 new jobs at Ballpark Village, CORTEX, Carondelet Coke, St. Louis Army Ammunition Plant and North Riverfront		X
G3	Foster innovation	X	
SAA28	Remediate and prepare at least 40 vacant properties for redevelopment		X
SAA	<i>Please comment in what ways you believe the Mayor's Sustainability Action Agenda overlaps with your successes on your project.</i>		

The identification numbers listed below are the development related objectives of the City's Sustainability Plan that have been identified above as applicable to this Redevelopment Plan.

Applicable Objective Numbers	Summary of Applicability
I - A1	The project is in the City's Central Corridor
I - B1	The project will prioritize an infill development to utilize three adjacent lots for the relocation of a business to the City.
I - B4	The development will increase transit, bike and pedestrian activities.
I - D7	The project will maintain or plant new street trees around the development.
I - J5	The project will increase the effectiveness of this major commercial corridor.
I - J8	The project incorporates sustainability as outlined in this summary.
III-SA10	The project will implement provisions addressing BB 297 pertaining to workforce inclusion.
III - F1	The development will address blighting and environmental health hazards.
III - F6	The construction will meet all local building codes and variance restrictions, universal design and accessibility codes.
IV - A5	The proposed plans for this property include vertical circulation, a clearly defined means of egress and updated building materials which provide a safe environment for potential occupants.
V - A1	The project is on a metro-link line near a major bus line route in a very walkable neighborhood with many amenities and attractions.
V - SAA18	The project will have bike racks exterior and interior to the building.
V - G2	The development will strive for energy efficiency.
V - G5	Toilets and other water fixtures will comply with current code restrictions on water flow and efficiency.
V - G6	Interior spaces will be properly ventilated with appropriate air exchanges to meet or exceed comfortable living standards.
VI - SSA26	This document constitutes the sustainability impact statement for the proposed development.
VI - B1	The project is located on a metro-link line near a major bus node.
VI - C3	The development will be the new headquarters for a landmark local business.
VI - C4	This mixed-use project promotes a flexible development approach for the benefit of the city.

EXHIBIT C



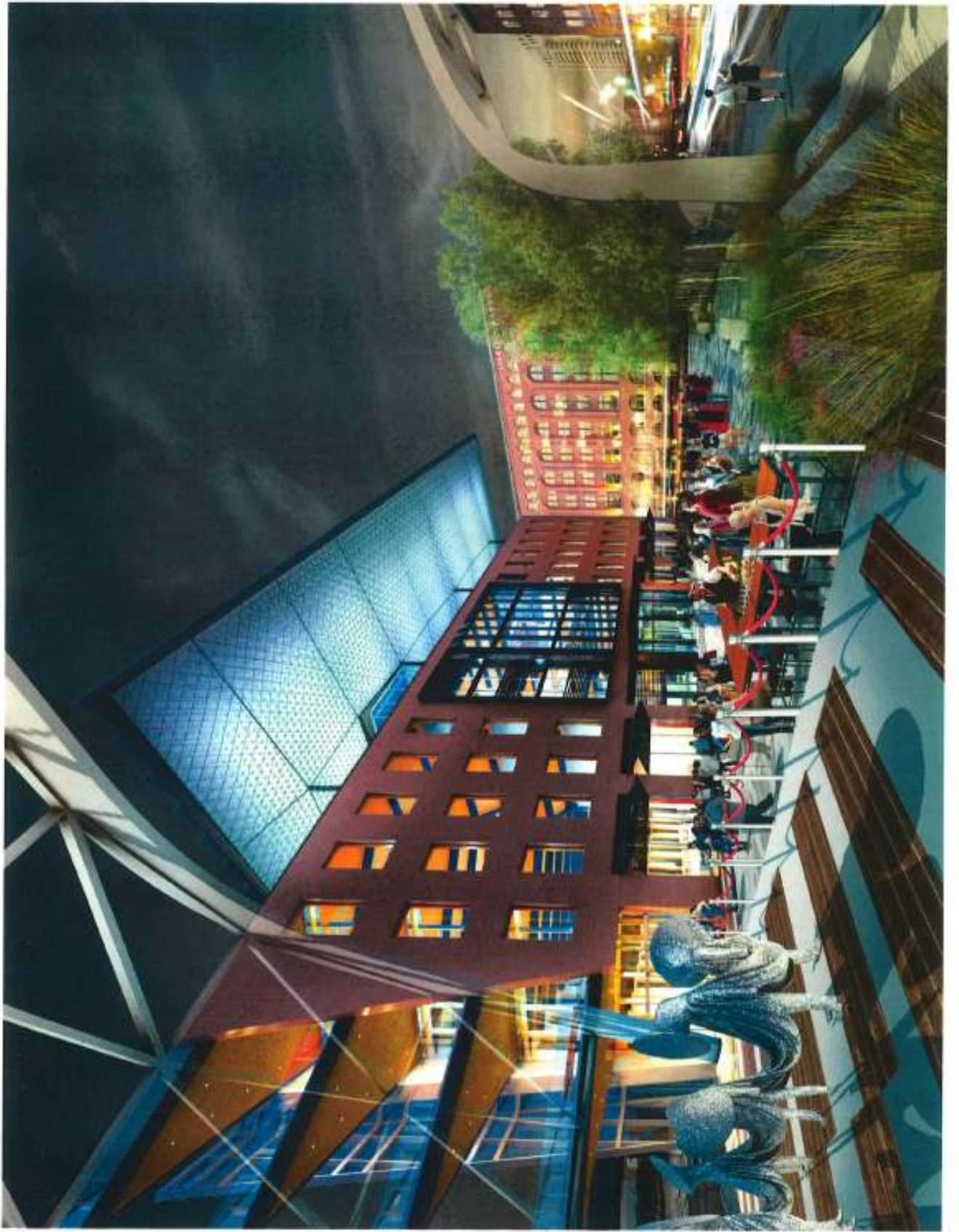


Exhibit “D”

Photos of 400-421 S. 9th St./815R-909 Poplar St. Redevelopment Area



**1) Redevelopment Area
Parking lot, 400 S. 9th St.
(Looking southward)**



**2) Redevelopment Area
Parking lot, 400 S. 9th St.
(Looking eastward)**



**3) Redevelopment Area
2 parking lots, 400 S. 9th St. & 815R Poplar St.
(Looking northward)**



**4) Redevelopment Area
Parking lot, 815R Poplar St.
(Looking northeastward)**

Exhibit “D”

Photos of 400-421 S. 9th St./815R-909 Poplar St. Redevelopment Area



**5) Redevelopment Area
Parking lot, 421 S. 9th St.
(Looking westward)**



**6) Redevelopment Area
Vacant lot, 909 Poplar St.
(Looking westward)**



**7) Adjacent properties
MetroLink’s Stadium Station, 400 S. 8th St.
(Looking northward)**



**8) Adjacent properties
Busch Stadium, 700 Clark Ave.
(Looking eastward)**

Exhibit “D”

Photos of 400-421 S. 9th St./815R-909 Poplar St. Redevelopment Area

	
<p>9) Adjacent properties Interstate 64 (elevated) (Looking southward)</p>	<p>10) Adjacent properties MetroLink tracks (Looking northeastward)</p>
	
<p>11) Adjacent properties Cupples 9, 900 Spruce St. (Looking westward)</p>	<p>12) Adjacent properties Cupples Station buildings (Looking westward)</p>